

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CYNTHIA ADVANI MARSHALL,)	
Plaintiff,)	
)	
v.)	Civil Action No.: 3:20-cv-442
)	
JOHN MARSHALL, ET AL.,)	
Defendants.)	

**CORRECTION TO DEFENDANT JOHN MARSHALL’S
REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS**

The Defendant John Marshall, by and through the undersigned counsel, respectfully submits the following correction to his Reply Brief in Support of Motion to Dismiss (ECF Doc# 57):

1. The third and fourth sentences of the second paragraph on page eight of Defendant John Marshall’s Reply Brief state:

Moreover, this allegation entirely misstates the law as it relates to Social Security surviving spouse benefits. As a former spouse of 58 years, the Marshall Defendants’ mother is entitled to surviving spouse social security benefits, regardless of her divorce from Watson Marshall and his subsequent remarriage.

2. These sentences omitted the adjective “ex” and should properly state:

Moreover, this allegation entirely misstates the law as it relates to Social Security surviving **ex**-spouse benefits. As a former spouse of 58 years, the Marshall Defendants’ mother is entitled to surviving **ex**-spouse social security benefits, regardless of her divorce from Watson Marshall and his subsequent remarriage.

3. For purposes of clarity and to the extent that it is otherwise unclear, Defendant John Marshall does not contend that anyone other than the plaintiff was married to Watson Marshall at the time of his death and confirms his understanding that the plaintiff is the surviving spouse of Watson Marshall. Likewise, Annie Marshall, is the surviving ex-spouse of Watson Marshall.

WHEREFORE the Defendant John Marshall, by and through the undersigned counsel, respectfully submits the above-referenced correction to his Reply Brief in Support of Motion to Dismiss.

DATED: October 26, 2020

JOHN MARSHALL

By Counsel

/s/ Caroline V. Davis

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CERTIFICATE

I hereby certify that on October 26, 2020, I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all parties.

/s/ Caroline V. Davis

Caroline V. Davis